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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 7 December 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Further to my letter dated 23 November 1992 (A/47/712-S/24844) containing the statement by the Government of the Federal Republic of Yugoslavia in connection with some parts of the second report on the situation of human rights in the territory of the former Yugoslavia (A/47/635-S/24766) prepared by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, I have the honour to transmit, enclosed herewith, the supplement to the statement by the Government of the Federal Republic of Yugoslavia prepared by the Ministry of Foreign Affairs of the Republic of Serbia concerning some assessments and conclusions contained in the second report of the Special Rapporteur, Mr. Tadeusz Mazowiecki.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under agenda item 97 (c).

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

Annex

SUPPLEMENT TO THE STATEMENT BY THE GOVERNMENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA CONCERNING SOME ASSESSMENTS AND CONCLUSIONS CONTAINED IN THE REPORT OF THE SPECIAL RAPPORTEUR MR. TADEUSZ MAZOWIECKI AFTER HIS SECOND VISIT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA FROM 12 TO 22 OCTOBER 1992

In reference to the recent reply made by the Government of the Federal Republic of Yugoslavia which contained facts refuting many of the assertions and allegations made in the report of the United Nations Special Rapporteur in connection with Vojvodina, Kosovo and Metohija, and the Raška region (the so-called Sandžak), the Ministry of Foreign Affairs of the Republic of Serbia has made inquiries and has established the exact facts regarding some of the matters mentioned in the report. It hereby wishes to call attention to the following points.

1. As regards the region of the Autonomous Province of Vojvodina, in the summer of this year, in localities inhabited by citizens of different nationalities (Hrtkovci, Kukujevci, Beška, Novi Slankamen, Nikinci and a few others), there were recorded instances of pressure exerted on citizens of non-Serbian nationality.

For the purpose of preventing such incidents, which under no circumstance could be regarded as ethnic cleansing, the competent authorities of the Republic of Serbia have stepped up their security measures to protect the personal safety and property of all citizens and to prevent crimes and offences, especially those with ethnic overtones.

In the period between July and October this year, charges were brought against 144 individuals for acts of violence threatening the rights and freedoms of citizens belonging to different national groups, nationalities or ethnic groups, for threats to security, for the instigation of general threats, for the unauthorized purchase, carrying or sale of firearms or ammunition, for vandalism, etc. There were 107 arrests made of individuals who were brought before a court of inquiry, and 26 were detained.

The measures undertaken have improved the security situation in the area of the Autonomous Province of Vojvodina. Cases of squatting in houses owned by citizens of Croatian nationality have been eliminated; citizens who were forcibly evicted have been enabled to return to their homes, and ethnic tensions have been defused. All serious crimes and cases of violent behaviour have been investigated, and legal action has been taken against their perpetrators.

Refugees of Muslim nationality from Bosnia and Herzegovina receive the same treatment as refugees of Serbian nationality. There are some 33,000 refugees of Muslim nationality and 8,600 refugees of Croatian nationality who have received accommodation in the territory of the Republic.

2. In the area of the Raška region (the so-called Sandžak), undesirable migrational trends of citizens of both Serbian and Muslim nationality cause a particular security problem, but they cannot be linked to what is termed ethnic cleansing. In the first nine months of 1992, 2,140 persons moved away from the territories of the communes of Novi Pazar, Tutin, Sjenica, Priboj, Prijepolje and Nova Varoš, of whom 1,337 were of Muslim nationality. On the other hand, in this same period, 1,043 persons of Muslim nationality moved into this region. According to the records of the competent services, last year and in the course of this year, 5,581 citizens of Croatian nationality and 969 citizens of Hungarian nationality moved out of the area of Vojvodina last year and this year.

In view of this fact, it is clear that the assertions made in the report of the United Nations Special Rapporteur that about 90,000 Croats and Hungarians left Vojvodina after the outbreak of hostilities in Yugoslavia and that about 70,000 Muslims have fled from the Raška area are unfounded and unsubstantiated.

Therefore, there can be no question of any type of so-called ethnic cleansing, either in the territories of the Autonomous Province of Vojvodina and Sandžak or indeed in the rest of the Republic's territory.

In the region of Prijepolje and Priboj there is no record of any terrorist attacks in which the homes of Muslims were burned down and mosques destroyed, so that the allegation to this effect in the report is completely inaccurate. The Ministry of Internal Affairs recorded the case of arson of four derelict houses committed by unknown persons in the village of Sačica near Priboj, on 27 August 1992. These houses had been abandoned by their owners, citizens of Muslim nationality, 20 years ago. Investigations into the circumstances of the burning down of these houses and other relevant facts are presently under way.

3. On 12 and 13 October 1992, a mass meeting of members of the Albanian minority took place, organized by the so-called Committee for the Organization of Peaceful Protest Demonstrations in Kosovo and Metohija. Demonstrations were held first in Priština and Prizren and then in all the other large towns of the province.

Some 200,000 persons took part in the demonstrations, mainly schoolchildren, students and their parents, teachers, etc. No advance notification that the demonstrations would be held had been given to the competent authorities, even though such notification is obligatory under the provisions of the Public Assembly Statute.

The aim of the demonstrators was to force entry and occupy the premises of schools and university buildings; they were particularly aggressive at the Commercial School in Peć on 12 October and the Philosophy Faculty on 13 October, where they threw stones at the police, wounding four. In both cases the members of the police force acted within their authority and used coercive means (physical force and regulation truncheons) to break up the crowd.

The strategy of the extremist Albanian separatists in Kosovo and Metohija is aimed at provoking wide-scale clashes with the police by carrying out armed assaults against law-enforcement officers and by inciting incidents.

The competent authorities of the Republic of Serbia will continue taking all the measures for which they are lawfully authorized in order to preserve law and order and ensure complete protection of the lives and property of all citizens throughout the entire territory of the Republic.

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The Government of the Republic of Serbia believes that this brief presentation of the facts will convince the competent international institutions of the inaccuracy of a part of the allegations and assessments made in the report submitted by the United Nations Special Rapporteur. Without wishing to cast aspersions on the Special Rapporteur's good intentions, the Government of the Republic of Serbia trusts that future missions of this kind will avoid the pitfalls of superficial inquiries into the facts and the reaching of conclusions on the basis of unsubstantiated impressions.